



## CONSEQUENCES: RETRIBUTION, RESTITUTION, AND RESTORATION

When the assembly to restore order on the island falls into disarray, it appears that “[t]he world, that understandable and lawful world, was slipping away” (p. 99). Instead of the boys reaching a consensus on fire being all-important for rescue, Jack rejects Ralph’s authority, disrespects the conch, then rejects the whole island order:

*“The rules!” shouted Ralph, “you’re breaking the rules.”*

*“Who cares?”*

*Ralph summoned his wits.*

*“Because the rules are the only thing we’ve got.” (p. 100)*

According to Kathleen Woodward, in her *Lord of the Flies* article “The Case for Strict Law and Order,” the problem on the island was that there were not enough rules. She believed that the boys needed to construct more rules. These extra rules would spell out the consequences when rules were broken.

As is seen when Jack breaks the rules, the boys have no agreed-upon system of consequences for dealing with rule-breakers. This, in part, can be blamed on the infancy of their system of laws and governance.

As legal systems have developed across the world, so have beliefs about what constitutes appropriate consequences for breaking the rules. Consider the three following historical origins of law and their relation to consequences.

### RETRIBUTION AND HAMMURABI’S CODE

Hammurabi ruled Babylon from approximately 1792 to 1750 BC. During his rule he codified, or put into writing, 282 laws governing Babylon. These laws have become known as the Code of Hammurabi.

It has been said that Hammurabi codified laws so “the strong might not oppress the weak, that they should give justice to the orphan and widow, and for the righting of wrong.”<sup>1</sup> Codified laws helped ensure that the public would know what was expected of them, and judges would have a written reference to determine crimes and required punishments.

Earlier codified laws have been found, the oldest being the Code of Ur-Nammu, dating back to 2050BC in Mesopotamia. What made Hammurabi’s code so well-known was that the original tablets, first discovered in 1901, have been well-preserved. Today, one nearly-complete 2.25 metre-high slab of stone with most of Hammurabi’s Code is on display at the Louvre in Paris.

Hammurabi’s laws dealt with a wide-range of issues, ranging from kidnapping and theft to divorce and disobedient sons. One feature of Hammurabi’s Code was the concept of retributive justice. Retributive justice is the idea that if a wrong is committed, revenge should be the basis of punishment. Retribution usually requires the wrong to be proportionately acted back upon the perpetrator. For example, Hammurabi’s Code prescribed “an eye for an eye, a tooth for a tooth.”

1

Robert Francis Harper, “The Code of Hammurabi.” *The American Journal of Theology*.

## **RESTITUTION AND MOSAIC LAW**

Approximately 800 years after Hammurabi, it has been said that God gave Moses laws for the Hebrews. Because these laws were given by a supreme being, it was believed these laws were supreme. As such, people could be confident that all citizens, including kings, would obey them.

Mosaic law begins with the Ten Commandments, and includes other significant laws and rules set out in the first five books of the Old Testament. Not only do the Ten Commandments still hold a great deal of importance in modern religions, but they also are reflected in today's laws. For example, Mosaic law prohibited murder and theft. Other Mosaic laws, such as honouring your parents, are no longer in legal code. However, they still hold a great deal of relevance to society.

These laws were to be taken very seriously, and punishable through means such as stoning. As well, Mosaic law featured the concept of restitution. Restitution means that the offender must repay the victim for goods stolen, damaged or lost.

## **RESTORATION AND ABORIGINAL LAW**

The Aboriginal worldview can be linked to a hierarchy based on dependencies. Mother Earth is first since everything and everyone depends on the earth for survival. The plant order is next since the animal world needs plants to survive. After that comes the animal order. Humans, dependent upon all these levels, are the least powerful and least important power in creation. Harmonious interconnections are required between these orders for long-term survival.

Traditional Aboriginal laws reflect these ideas. Because each citizen can contribute to the effective and sustainable welfare of the entire community, traditional Aboriginal conflict resolution has been guided by spiritual means nurtured by customs and habits. Sweats, isolation, and the teachings and influences of Elders, parents and grandparents are examples of this.

Important to the Aboriginal system of laws are notions of honesty and harmony brought about by forgiveness, restitution, and rehabilitation. These three factors contribute to the restoration of smoothly operating families and communities.

Restorative justice envelops these ideas. Restorative justice recognizes that everything is connected, and a crime disturbs the harmony of these connections. When a crime takes place, its remedy should be determined by the needs of victims, the community, and the offender. This restoration is meant to heal victims and communities, while encouraging offenders to confront the consequences of their action. Such an approach is believed to lead to restoration for all.

## **CONSIDER**

1. Even though the boys have no system to deal with those who do not follow the rules, it was suggested in Chapter 2 that this would not be the case:

*"We'll have rules!" [Jack] cried excitedly. "Lots of rules! Then when anyone breaks 'em—"*  
*"Whee-oh!"*  
*"Wacko!"*  
*"Bong!"*  
*"Doink!" (p. 36)*

- a) What concept of justice does this most closely resemble? Retribution, restitution, or restoration?
  - b) What concept does this least resemble?
2. Because the boys have few resources, is restitution possible in instances such as when Jack broke the lense of Piggy's glasses?
  3. "Rough Justice," a recent essay by Daniel Baird in *The Walrus*, made the following point about retributive justice:  
*The trouble with retributive justice is that a literal reading of the "Eye for an Eye" biblical passage leads to morbidly comical conclusions and boundless forms of cruelty. One rabbi noted that if a blind man puts out someone's eyes, it is impossible to blind him in return.*  
The boys seem to endorse a system of retributive justice in Chapter 2. Do you think that their society is sophisticated enough to understand its potential shortcomings?
  4. Do you think the boys' society is sophisticated enough to embrace the Aboriginal concept of restorative justice?

#### **FOR FUTURE READING**

As the story continues, watch to see if consequences are used when rules are broken. If consequences are used, what concepts do they most closely reflect?